

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*LAWAL, on behalf of herself and all others
similarly situated,*

Plaintiff,

-against-

**HOLLYWOOD TOYS AND COSTUMES,
INC.,**

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 5/3/2023

22-cv-08627 (ALC)

ORDER OF DISMISSAL

ANDREW L. CARTER, JR., United States District Judge:

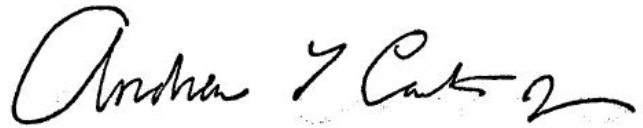
On October 11, 2022, Plaintiff filed a Complaint commencing this action. ECF No. 1. Plaintiff served Defendant on October 13, 2022. ECF No. 5. The Defendant's answer was due on November 3, 2022. To date, no answer or response has been filed and Plaintiff has not sought a default judgment.

Accordingly, on January 26, 2023, the Court ordered Plaintiff to show cause as to why this action should not be dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). ECF No. 6. The Court directed Plaintiff to respond by February 10, 2023, and the Court warned Plaintiff that any failure to make this showing would result in a dismissal of this case without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). *Id.*

To date, Plaintiff has failed to respond to the Order to Show Cause nor has she taken any action in this case for several months. Accordingly, this action is hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b). The Clerk of Court is respectfully directed to terminate this case.

SO ORDERED.

Dated: May 3, 2023
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge